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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Greg Nordgren

Docket: 8607

Serial No.: 10/647,039

Art Unit: 3763

Filed: August 21, 2003

Examiner:

For: SLIT VALVES FOR CATHETER TIPS  
AND METHODS

**RELATED ART/INFORMATION DISCLOSURE STATEMENT**

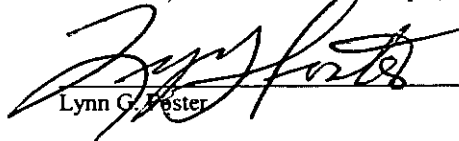
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Recently, the owner of the above-identified patent application acquired all right, title and interest in and to now parent U.S. Patent Application Serial No. 09/542,503, filed April 3, 2000. As the result of the assignment of the now parent patent application, certain files and information have recently come to the attention of the above-identified applicant, i.e., (1) an Information Disclosure Statement filed in Serial No. 09/542,503 (a copy of which is attached hereto); and (2) an International Search Report in Serial No. PCT/U.S. 01/10692.

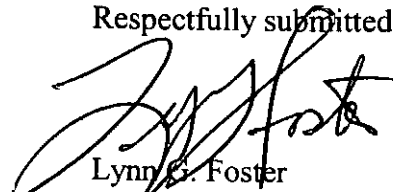
Pursuant to MPEP § 609, no copies of the references in the Information Disclosure Statement submitted herewith and earlier in Serial No. 09/542,503 are provided, the Examiner being required to consider said prior art.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2005.

  
Lynn G. Foster

The prior art cited in PCT/U.S. 01/10692 are enclosed herewith.

Respectfully submitted,



Lynn G. Foster  
Attorney for Applicant

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Salt Lake City, Utah 84102  
Telephone: (801) 364-5633



EXPRESS MAIL LABEL NO. EL 994827340 US

PATENT APPLICATION  
Docket: 2408.3775.1US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gregory N. Nordgren

For: CATHETER WITH VALVED DISTAL TIP

Continuation of:

Serial No.: 09/542,503

Filing Date: April 3, 2000

Prior Examiner: Catherine S. Williams

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
United States Patent and Trademark Office  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98(a)(1), transmitted herewith is a Form PTO-1449 containing a list of all patents, publications, or other references that have come to the attention of one or more of the individuals identified in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. § 102 or § 103, the transmitted list of references is disclosed in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56.

No representation is made that a specific search of office files or Patent Office records has been conducted, or that no better art exists. Nevertheless, the undersigned attorney of record believes that the transmitted references constitute art that is the closest to the claimed invention taken in its entirety of which the undersigned is presently aware, and no art which is closer to the claimed invention taken in its entirety has been knowingly withheld.

The references listed on the transmitted Form PTO-1449 are below classified for the convenience of the Examiner in one of the following category of references set forth for distinct treatment in accordance with the subsections of 37 C.F.R. §1.98.

#### I. REFERENCES PREVIOUSLY DISCLOSED

The following of the references listed on the transmitted Form PTO-1449 were each previously submitted or cited by the United States Patent and Trademark Office in the prior prosecution of United States Patent Application Serial No. 09/542,503 filed on April 3, 2000 (hereinafter "the Priority Application"), which is relied upon by the present application for an earlier filing date under 35 U.S.C. § 120:

##### 1. United States Patent Documents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>
1,719,428	07/02/29	Friedman
2,393,033	01/15/46	Ellinwood
2,616,429	11/04/52	Merenlender
3,020,913	02/13/62	Heyer
3,111,125	11/19/63	Schulte
3,131,712	05/05/64	Risley et al.

-- (continued) --

1. United States Patent Documents (continued)

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>
3,303,846	02/14/67	Ogle
3,525,357	08/25/70	Koreski
3,654,932	04/11/72	Newkirk et al.
3,734,126	05/22/73	Weaver
3,799,172	03/26/74	Szpur
3,865,666	02/11/75	Shoney
3,885,561	05/27/75	Cami
3,888,249	06/10/75	Spencer
3,995,617	12/07/76	Watkins et al.
4,003,398	01/18/77	Duveau
4,029,104	06/14/77	Kerber
4,143,853	03/13/79	Abramson
4,240,434	12/23/80	Newkirk
4,327,722	05/04/82	Groshong et al.
4,341,239	07/27/82	Atkinson
4,431,426	02/14/84	Groshong et al.
4,434,810	03/06/84	Atkinson
4,475,898	10/09/84	Brodner et al.
4,529,399	07/16/85	Groshong et al.
4,549,879	10/29/85	Groshong et al.
4,559,046	12/17/85	Groshong et al.
4,601,697	07/22/86	Mammolenti et al.
4,657,536	04/14/87	Dorman
4,671,796	06/09/87	Groshong et al.
4,685,905	08/11/87	Jeanneret nee Aab
4,701,166	10/20/87	Groshong et al.
4,737,152	04/12/88	Alchas

-- (continued) --

1. United States Patent Documents (continued)

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>
4,850,969	07/25/89	Jackson
4,753,640	06/28/88	Nichols et al.
4,973,319	11/27/90	Melsky
4,995,863	02/26/91	Nichols et al.
5,000,745	03/19/91	Guest et al.
5,004,455	04/02/91	Greenwood et al.
5,030,210	07/09/91	Alchas
5,084,015	01/28/92	Moriuchi
5,085,635	02/04/92	Cragg
5,112,301	05/12/92	Fenton, Jr. et al.
5,147,318	09/15/92	Hohn
5,147,332	09/15/92	Moorehead
5,160,325	11/03/92	Nichols et al.
5,163,921	11/17/92	Feiring
5,180,364	01/19/93	Ginsburg
5,190,524	03/02/93	Wex
5,215,527	06/01/93	Beck et al.
5,224,938	07/06/93	Fenton, Jr.
5,250,034	10/05/93	Appling et al.
5,261,885	11/16/93	Lui
5,267,979	12/07/93	Appling et al.
5,290,263	03/01/94	Wigness et al.
5,304,155	04/19/94	Lui
5,522,807	06/04/96	Luther
5,554,136	09/10/96	Luther
5,573,509	11/12/96	Thornton
5,738,666	04/14/98	Watson et al.

-- (continued) --

### 1. United States Patent Documents (continued)

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>
5,776,096	07/07/98	Fields
5,800,411	09/01/98	Nakada et al.
5,807,348	09/15/98	Zinger et al.
5,807,349	09/15/98	Person et al.
5,807,356	09/15/98	Finch, Jr. et al.
5,810,789	09/22/98	Powers et al.
5,814,024	09/29/98	Thompson et al.
5,843,050	12/01/98	Jones et al.
5,928,203	07/27/99	Davey et al.
5,984,903	11/16/99	Nadal
6,120,483	09/19/00	Davey et al.

### 2. Foreign Patent Documents

<u>Country</u>	<u>Document Number</u>	<u>Date</u>
Europe	191,154	08/20/86
Europe	328,332	08/16/89
Europe	351,864	01/24/90
Europe	547,463	06/23/93
Europe	864,336	09/16/98
France	2,707,505	01/20/95
Germany	3,724,978	02/09/89
Great Britain	727,959	04/13/55
PCT	WO 80/02230	10/30/80
PCT	WO 90/09204	08/23/90

### 3. Other References

-- none --

Pursuant to 37 C.F.R. § 1.98(d), copies of the above-listed references are not included herewith. Pursuant to Manual of Patent Examining Procedure (M.P.E.P.) § 2001.06(b), the Examiner is respectfully requested to state in the record that each of the above-listed references have been considered in the present prosecution. For convenience, copies of each of the following three (3) forms in the prosecution of the Priority Application are enclosed:

1. Form PTO-1449 listing References A1-A77 and initialed by the Examiner in the Priority Application on March 19, 2004;
2. Form PTO-1449 listing References A1-A3 and initialed by the Examiner in the Priority Application on March 19, 2004; and
3. Form PTO-892 listing References A-G and comprising part of Paper No. 13, which is itself dated April 1, 2004.



## II. COMMENT ON THE REFERENCES BEING MADE OF RECORD

It should be noted that among the references submitted the following are considered by the undersigned to be particularly relevant<sup>1</sup> to the general subject matter disclosed in the above-captioned application:

### 1. United States Patent Documents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>	PTO-1449 <u>Reference Identification</u>
4,973,319	11/27/90	Melsky	A36
5,030,210	07/09/91	Alchas	A40
5,261,885	11/16/93	Lui	A53
5,304,155	04/19/94	Lui	A56
5,522,807	06/04/96	Luther	A57
5,554,136	09/10/96	Luther	A58
5,928,203	07/27/99	Davey et al.	A69
5,984,903	11/16/99	Nadal	A70

### 2. Foreign Patent Documents

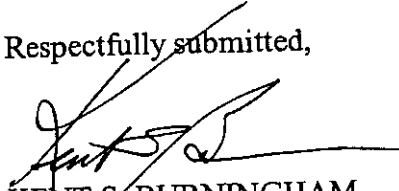
<u>Country</u>	<u>Document Number</u>	<u>Date</u>	PTO-1449 <u>Reference Identification</u>
France	2,707,505	01/20/95	A77
Great Britain	727,959	04/13/55	A79

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<sup>1</sup> Other references may in the opinion of an Examiner be of greater relevance, depending upon the recitations of a claim relative to which patentability is being evaluated.

DATED this 30<sup>th</sup> day of September, 2004.

Respectfully submitted,



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KSB/csw

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Docket: 2408.3775.1US



EXPRESS MAIL LABEL NO. EL 994827340 US

Form PTO-1449

Applicant: Gregory N. Nordgren  
For: CATHETER WITH VALVED DISTAL TIP

Sheet 1 of 5

Continuation of:

Serial No.: 09/542,503  
Filing Date: April 3, 2000

Att'y Docket No. 2408.3775.1US  
Group: 3763

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1	1,719,428	07/02/29	Friedman	604	105	05/21/27
_____ A2	2,393,033	01/15/46	Ellinwood	174	40	05/06/42
_____ A3	2,616,429	11/04/52	Merenlender	128	350	08/27/51
_____ A4	3,020,913	02/13/62	Heyer	128	350	07/15/58
_____ A5	3,111,125	11/19/63	Schulte	128	350	11/06/61
_____ A6	3,131,712	05/05/64	Risley et al.	137	318	05/12/60
_____ A7	3,303,846	02/14/67	Ogle	128	218	10/08/63
_____ A8	3,525,357	08/25/70	Koreski	137	516.11	11/18/68
_____ A9	3,654,932	04/11/72	Newkirk et al.	128	350 V	11/26/69
_____ A10	3,734,126	05/22/73	Weaver	137	512.15	06/16/71
_____ A11	3,799,172	03/26/74	Szpur	138	349 R	09/25/72
_____ A12	3,865,666	02/11/75	Shoney	156	245	05/08/73
_____ A13	3,885,561	05/27/75	Cami	128	214	08/12/74
_____ A14	3,888,249	06/10/75	Spencer	128	214 R	11/02/73
_____ A15	3,995,617	12/07/76	Watkins et al.	128	1 D	05/31/72
_____ A16	4,003,398	01/18/77	Duveau	137	512	03/17/75
_____ A17	4,029,104	06/14/77	Kerber	128	348	03/08/76
_____ A18	4,143,853	03/13/79	Abramson	251	149.1	07/14/77
_____ A19	4,240,434	12/23/80	Newkirk	128	350 V	10/10/78
_____ A20	4,327,722	05/04/82	Groshong et al.	128	214.4	08/20/79
_____ A21	4,341,239	07/27/82	Atkinson	137	493	07/14/80
_____ A22	4,431,426	02/14/84	Groshong et al.	604	280	10/03/80

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant: Gregory N. Nordgren  
 For: CATHETER WITH VALVED DISTAL TIP

Continuation of:

Serial No.: 09/542,503  
 Filing Date: April 3, 2000

Att'y Docket No. 2408.3775.1US  
 Group: 3763

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A23	4,434,810	03/06/84	Atkinson	137	493	05/24/82
_____ A24	4,475,898	10/09/84	Brodner et al.	604	9	04/26/82
_____ A25	4,529,399	07/16/85	Groshong et al.	604	53	05/03/83
_____ A26	4,549,879	10/29/85	Groshong et al.	604	247	05/03/83
_____ A27	4,559,046	12/17/85	Groshong et al.	604	282	07/28/83
_____ A28	4,601,697	07/22/86	Mammolenti et al.	604	43	12/07/84
_____ A29	4,657,536	04/14/87	Dorman	604	247	03/19/81
_____ A30	4,671,796	06/09/87	Groshong et al.	604	247	10/25/85
_____ A31	4,685,905	08/11/87	Jeanneret nee Aab	604	247	05/19/86
_____ A32	4,701,166	10/20/87	Groshong et al.	604	247	10/02/86
_____ A33	4,737,152	04/12/88	Alchas	604	256	07/02/86
_____ A34	4,753,640	06/28/88	Nichols et al.	604	247	10/06/86
_____ A35	4,850,969	07/25/89	Jackson	604	96	02/11/88
_____ A36	4,973,319	11/27/90	Melsky	604	247	05/10/89
_____ A37	4,995,863	02/26/91	Nichols et al.	604	247	02/25/88
_____ A38	5,000,745	03/19/91	Guest et al.	604	256	11/18/88
_____ A39	5,004,455	04/02/91	Greenwood et al.	604	43	07/17/89
_____ A40	5,030,210	07/09/91	Alchas	604	247	02/08/88
_____ A41	5,084,015	01/28/92	Moriuchi	604	96	05/15/89
_____ A42	5,085,635	02/04/92	Cragg	604	96	05/18/90
_____ A43	5,112,301	05/12/92	Fenton, Jr. et al.	604	30	06/19/91
_____ A44	5,147,318	09/15/92	Hohn	604	174	03/04/91
_____ A45	5,147,332	09/15/92	Moorehead	604	247	05/17/91

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Sheet 3 of 5

Applicant: Gregory N. Nordgren  
For: CATHETER WITH VALVED DISTAL TIP

Continuation of:

Serial No.: 09/542,503  
Filing Date: April 3, 2000Att'y Docket No. 2408.3775.1US  
Group: 3763U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A46	5,160,325	11/03/92	Nichols et al.	604	247	01/22/91
_____ A47	5,163,921	11/17/92	Feiring	604	247	10/04/90
_____ A48	5,180,364	01/19/93	Ginsburg	604	53	07/03/91
_____ A49	5,190,524	03/02/93	Wex	604	80	02/08/91
_____ A50	5,215,527	06/01/93	Beck et al.	604	164	12/12/91
_____ A51	5,224,938	07/06/93	Fenton, Jr.	604	247	03/18/92
_____ A52	5,250,034	10/05/93	Appling et al.	604	164	08/07/91
_____ A53	5,261,885	11/16/93	Lui	604	247	07/14/92
_____ A54	5,267,979	12/07/93	Appling et al.	604	247	07/21/92
_____ A55	5,290,263	03/01/94	Wigness et al.	604	247	07/27/92
_____ A56	5,304,155	04/19/94	Lui	604	247	07/12/93
_____ A57	5,522,807	06/04/96	Luther	604	264	09/07/94
_____ A58	5,554,136	09/10/96	Luther	604	264	02/27/95
_____ A59	5,573,509	11/12/96	Thornton	604	102	11/22/94
_____ A60	5,738,666	04/14/98	Watson et al.	604	264	07/10/96
_____ A61	5,776,096	07/07/98	Fields	604	43	06/06/96
_____ A62	5,800,411	09/01/98	Nakada et al.	604	280	09/06/96
_____ A63	5,807,348	09/15/98	Zinger et al.	604	246	05/15/97
_____ A64	5,807,349	09/15/98	Person et al.	604	247	03/10/97
_____ A65	5,807,356	09/15/98	Finch, Jr. et al.	604	284	10/04/95
_____ A66	5,810,789	09/22/98	Powers et al.	604	280	04/05/96
_____ A67	5,814,024	09/29/98	Thompson et al.	604	246	11/27/96
_____ A68	5,843,050	12/01/98	Jones	604	525	11/13/95

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant: Gregory N. Nordgren  
 For: CATHETER WITH VALVED DISTAL TIP

Continuation of:  
 Serial No.: 09/542,503  
 Filing Date: April 3, 2000

Att'y Docket No. 2408.3775.1US  
 Group: 3763

U.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
_____ A69	5,928,203	07/27/99	Davey et al.	604	247	10/01/97
_____ A70	5,984,903	11/16/99	Nadal	604	256	12/11/96
_____ A71	6,120,483	09/19/00	Davey et al.	604	247	03/19/99

Foreign Patent Documents

Examiner Initial*	Document Number	Publ. Date	Country or Patent Office	Sub Class	Class	Trans- lation
_____ A72	191,154	08/20/86	Europe	A61M	25/00	Yes
_____ A73	328,332	08/16/89	Europe	A61M	25/00	N/A
_____ A74	351,864	01/24/90	Europe	A61M	25/00	Yes
_____ A75	547,463	06/23/93	Europe	A61M	25/00	N/A
_____ A76	864,336	09/16/98	Europe	A61M	25/00	N/A
_____ A77	2,707,505	01/20/95	France	A61M	25/00	Yes
_____ A78	3,724,978	02/09/89	Germany	A61M	5/14	No
_____ A79	727,959	04/13/55	Great Britain	81(2)	B23	N/A
_____ A80	WO 80/02230	10/30/80	PCT	A61M	5/00	N/A
_____ A81	WO 90/09204	08/23/90	PCT	A61M	25/00	N/A

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

-- none --

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant: Gregory N. Nordgren  
For: CATHETER WITH VALVED DISTAL TIP

Sheet 5 of 5

Continuation of:

Serial No.: 09/542,503  
Filing Date: April 3, 2000

Att'y Docket No. 2408.3775.1US  
Group: 3763

### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

N:24083775.1US/1449.DOC

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Notice of References Cited**

Application/Control No.

09/542,503

Applicant(s)/Patent Under  
Reexamination  
NORDGREN, GREGORY N.

Examiner

Catherine S. Williams

Art Unit

3763

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,737,152	04-1988	Alchas, Paul G.	604/256
	B	US-5,030,210	07-1991	Alchas, Paul G.	604/247
	C	US-5,147,318	09-1992	Hohn, David C.	604/174
	D	US-5,304,155	04-1994	Lui, Chun K.	604/247
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